

Statement of Basis

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Type of Flow Measurement which the facility is currently using:
Measure

Outfall 002

Discharge Location: Latitude 30° 12' 26" North
Longitude 93° 7' 22" West

Description: treated sanitary wastewater

Expected Flow: 150 Trailer Connections x 300 gallons/day/home = 0.045 MGD

Calculations for gallons per day were based upon figures obtained from Chapter 15 of the State of Louisiana Sanitary Code, Department of Health and Hospitals, Office of Public Health.

Type of Flow Measurement which the facility is currently using:
Measure

V. RECEIVING WATERS:

The discharge is into an unnamed ditch, thence into English Bayou in segment 030702 of the Calcasieu River Basin. This segment is listed on the 303(d) list of impaired waterbodies.

The designated uses and degree of support for Segment 030702 of the Calcasieu River Basin are as indicated in the table below^{1/}:

Degree of Support of Each Use						
Primary Contact Recreation	Secondary Contact Recreation	Propagation of Fish & Wildlife	Outstanding Natural Resource Water	Drinking Water Supply	Shell fish Propagation	Agriculture
Full	Full	Not Supported	N/A	N/A	N/A	Full

^{1/}The designated uses and degree of support for Segment 030702 of the Calcasieu River Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 030702 of the Calcasieu River Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated January 5, 2010 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

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VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

For additional information, contact:

Ms. Rachel Davis
Water Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:**Final Effluent Limits:**

Subsegment 030702, English Bayou-Headwaters to Calcasieu River, is listed on LDEQ's Final 2006 303(d) List as impaired for mercury and total dissolved solids. To date no TMDLs have been completed for this waterbody. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Calcasieu Basin, those suspected causes for impairment which are not directly attributed to the sanitary wastewater point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were also eliminated.

Mercury and Total Dissolved Solids

Based on the size and nature of the facility, the department believes there is little potential for the discharge to cause or contribute to the mercury and total dissolved solids impairment of this subsegment. Therefore, no limitations for mercury and total dissolved solids will be required of this facility.

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OUTFALL 001

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg. mg/l	Daily Max. mg/l	Basis
BOD ₅	---	30 mg/l	45 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this size requiring a general Class II permit.
TSS	---	30 mg/l	45 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.

Other Effluent Limitations:**1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5., the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Daily Maximum) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

2) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C)

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

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OUTFALL 002

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

Effluent Characteristic	Monthly Avg. (lbs./day)	Monthly Avg.	Daily Max.	Basis
BOD ₅	---	20 mg/l	30 mg/l	Limits are set in accordance with the Statewide Sanitary Effluent Limitations Policy (SSELP) for facilities of this size requiring a general Class III permit.
TSS	---	20 mg/l	30 mg/l	Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility.

Other Effluent Limitations:**1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5., the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Daily Maximum) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the water body standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

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The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C)

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

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X. PREVIOUS PERMITS:

LPDES Permit No. LA0110515: Effective: August 1, 2001
Expired: July 31, 2006

Outfall 001

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/week	Measure
BOD ₅	30 mg/l	45 mg/l	1/3 month	Grab
TSS	30 mg/l	45 mg/l	1/3 month	Grab
Fecal Coliform	200	400	1/3 month	Grab
pH	---	---	1/3 month	Grab

Outfall 002

<u>Effluent Characteristic</u>	<u>Discharge Limitations</u>		<u>Monitoring Requirements</u>	
	<u>Monthly Avg.</u>	<u>Weekly Avg.</u>	<u>Measurement Frequency</u>	<u>Sample Type</u>
Flow	Report	Report	1/week	Measure
BOD ₅	20 mg/l	30 mg/l	1/month	Grab
TSS	20 mg/l	30 mg/l	1/month	Grab
Fecal Coliform	200	400	1/month	Grab
pH	---	---	1/month	Grab

XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:**A) Inspections**

A review of the files indicates the following inspections were performed during the period beginning **September 2007** and ending **September 2009** for this facility.

Date: December 28, 2008

Inspector: Matthew Todd

EDMS Document No.: 39193222

Findings and/or Violations:

1. DMR review from October 2006 to present revealed no DMRs on file for 4/07 and 1/08 and excursion noted from both outfalls too numerous to list.
2. Permit is expired
3. Compliance order WE-C-03-1044 was issued on June 20, 2005, excursions still present
4. Site review revealed no flow from either outfall. Above ground STP was in working order. The oxidation ponds were designed for 2 cells, currently there is a break in the inner level dividing the cells. It is treating as one cell
5. Fence was repaired after the hurricane.

B) Compliance and/or Administrative Orders

A review of the files indicates that no compliance orders have been issued against the facility in the past two years. However, based on the non-compliance found during the permit file review, this facility was referred to the enforcement division on February 10, 2010.

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C) DMR Review

A review of the discharge monitoring reports for the period beginning **September 2007** through **September 2009** has revealed the following violations:

Period of Excursion	Parameter	Outfall	Permit Limit	Reported Quantity
September 2007	pH	002	6	9.2
	pH		9	9.2
October 2007	pH	002	6	9.3
	pH		9	9.3
	TSS		20 mg/l	62 mg/l
	TSS		30 mg/l	62 mg/l
November 2007	TSS	002	20 mg/l	36.5 mg/l
	TSS		30 mg/l	36.5 mg/l
December 2007	BOD	002	20 mg/l	35 mg/l
	BOD		30 mg/l	35 mg/l
	TSS		20 mg/l	108 mg/l
	TSS		30 mg/l	108 mg/l
	Fecal		200	2,650
	Fecal		400	2,650
June 2008	Fecal	001	200	1,350
	Fecal		400	1,350
February 2009	pH	002	6	10.6
	pH		9	10.6
	TSS		20 mg/l	294 mg/l
	TSS		30 mg/l	294 mg/l
March 2009	BOD	002	20 mg/l	33 mg/l
	BOD		30 mg/l	33 mg/l
	TSS		20 mg/l	112 mg/l
	TSS		30 mg/l	112 mg/l
April 2009	TSS	002	20 mg/l	50 mg/l
	TSS		30 mg/l	50 mg/l
May 2009	TSS	002	20 mg/l	78.3 mg/l
	TSS		30 mg/l	78.3 mg/l
	Fecal		200	TNTC
	Fecal		400	TNTC
July 2009	pH	002	6	10.01
	pH		9	10.01
	TSS		20 mg/l	82 mg/l
	TSS		30 mg/l	82 mg/l
August 2009	BOD	002	20 mg/l	46 mg/l
	BOD		30 mg/l	46 mg/l
	pH		6	10.28
	pH		9	10.28
	TSS		20 mg/l	204 mg/l
	TSS		30 mg/l	204 mg/l
September 2009	pH	002	6	9.9
	pH		9	9.9
	TSS		20 mg/l	168 mg/l
	TSS		30 mg/l	168 mg/l

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XII. ADDITIONAL INFORMATION:

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

This permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(C) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act or more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's, if the effluent standard, limitations, water quality studies or TMDL's so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving water body.

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.

At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit for Outfall 001 are standard for facilities of flows between **0.004 and 0.02 MGD**.

Outfall 001**Effluent Characteristics****Monitoring Requirements**

	<u>Measurement</u>	<u>Sample</u>
	<u>Frequency</u>	<u>Type</u>
Flow	1/week	Measure
BOD ₅	1/3 month	Grab
Total Suspended Solids	1/3 month	Grab
Fecal Coliform Bacteria	1/3 month	Grab
pH	1/3 month	Grab

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At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit for Outfall 002 are standard for facilities of flows between **0.02** and **0.1** MGD.

Outfall 002Effluent CharacteristicsMonitoring Requirements

	<u>Measurement</u>	<u>Sample</u>
	<u>Frequency</u>	<u>Type</u>
Flow	1/week	Measure
BOD ₅	1/month	Grab
Total Suspended Solids	1/month	Grab
Fecal Coliform Bacteria	1/month	Grab
pH	1/month	Grab

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to reissue a permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2009.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 2006.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2010.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2010.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Calhoun Holdings, LLC, Country Aire Mobile Home Park, February 1, 2010.